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L E T T E R  
T O T H E  
Rev<sup>d</sup>. Dr. *H O L M E S*,  
V I C E - C H A N C E L L O R  
O F T H E  
U n i v e r s i t y o f *O x f o r d*,  
A N D  
V I S I T O R  
O F

*Hart-Hall*, within the said *University*. K

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By *R. Newton*, D. D. Principal of *Hart-Hall*.

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*Cæterum ita sibi Potentiores persuadere debent, si omnia sibi Licere putant,  
Licere quoq; Omnibus de ipsorum dictis factisq; Liberè Loqui & Scribere.*

*Thuan. Epist. ad Camdenum.*

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T H E S E C O N D E D I T I O N .

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L O N D O N :

Printed in the Y E A R M . D C C . X X X I V .

L. E. T. R.

REV. DR. W. W. S.  
VIGIL-CHANCELLOR

University of Oxford



V. I. S.

Hart Hall, within the said University

By R. Newell, B. D. Principal of Hart Hall

Order of the University of Oxford

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To the Rev<sup>d</sup> Dr. HOLMES, Vice-Chancellor of  
the University of Oxford, &c.

Mr. Vice-Chancellor,



H O' I have not prepar'd you to expect any Application of the following kind from me; yet, being the unfortunate Governor of a Society greatly suffering in their Interests, and having a Right to your Protection, I hope you will not be surpris'd that I presume to beg of you such Help in our Distress, as you may be Able to give us, and shall think our Case to deserve.

I HAVE for many Years been engag'd in a Design of getting This Society Incorporated and Endowed for the Advancement of Learning, Religion and Virtue, upon a Foot of Discipline allowed by the proper Judges of it to be fit to promote These Ends, and herein, of doing Service to the University over which you preside.

THE Erection of a Hall into a College hath ever been esteem'd an Honour to the Reign in which it hath been accomplish'd. And that two or three Fellows of a College, warm in the Sunshine of their Own Founder's Bounty, should, without any reasonable Prospect of Advantage to Themselves or their Society, combine to obstruct a Design of this Nature; and should also find so much Credit with their Visitor, as to get him to assist them to defeat it, is what the present Societies of the University are amaz'd at, and their Successors will not believe.

As the several Colleges of the University have their respective Visitors, so the Vice-Chancellor for the time being is the proper Visitor of Halls. And as two or three Fellows of Exeter College have fled to the Bishop of Exeter, Their Visitor, for his Aid to obstruct the Good intended to the University in general, and to Hart-Hall in particular; so the Principal of Hart-Hall intending this Good, and prevented from doing it, naturally applies for Help to His Visitor the Vice-Chancellor, the Guardian of the Interests of the University, and of That Society. And humbly hopes, if the Visitor of Exeter College can think it his Duty to do what They desire, (*parte inauditâ alterâ*;) the Visitor of Hart-Hall will not think it Unbecoming in Him to attend to the Complaint of the Principal, who is not suffer'd to be heard elsewhere, and to assist him to remove the Cause of it.

WHAT may reasonably be Expected from a Person so well Affected to the Government, so studious of the Credit, Peace and Welfare of the University, and so capable of doing it great Honour and Service, I am willing to Hope for. And, tho' the Obstruction



struction given to the Incorporation and Endowment of This Society hath hitherto been insuperable by *Me* contending alone and unsupported, yet, assisted by *One* of Superior Address, Parts, Interest, Influence and Authority, I flatter Myself (*dolo Divum* apart) I shall soon become more Successful.

WHAT Steps My Visitor is to take towards This End, I must Leave to his Own Prudence; I shall not be forward to direct his Excellent Judgment: The following Letters to the Visitor of *Exeter* College will inform him, what Steps taken by *Me* have prov'd *ineffectual*.

BUT (Mr. Vice-Chancellor) before I open These Letters to you, to shew what earnest Endeavours I have used to prevail upon his Lordship to *Allow* only *That Hearing* which the College had petitioned the Lord Privy-Seal to *permit*, and their Visitor, at the same time, to *oppose*, I beg Leave to recite the Motives I had to *desire* the *Incorporation* of the Hall, and to *Contribute* Myself to the *Endowment* of it, lest any Misrepresentation of these Matters (which however in their Nature are well entitled to the most favourable Construction) should disincline you to me, and slacken your Diligence to serve me.

THE Motives I had to *desire* the *Incorporation* of the Hall were truly Those set forth in my Petition to the Crown for this Purpose; The promoting of Piety, Good-Manners, and useful Learning; and to this End, the Establishing of a Rule of Discipline, form'd in such a Manner, as not easily to be Eluded, or partially Executed; a Rule attended with Endowments sufficient to secure Conformity to it, and by which the *Interest* of every Member of the Society is made to depend upon his *Duty*; a Rule by which it is provided that the Interest of One shall be the Interest of All, that there shall be every Thing to Unite them, and nothing to Divide them.

THE Motives I had to give any Thing *Myself* towards the Endowment of the Hall were, not the *Largeness* of my Fortune (God knows) but the particular *Nature* of some Part of it; and a Persuasion that the best Way either to *conquer* the Diffidence I should have to sollicit the Beneficence of *Others* to the Good I was promoting, or to *Induce* them to Encourage it, was, to be *Myself* a Contributor thereto.

ONE Part of the Estate I inherited consisted in the *Tythes* of a Hamlet where there was no longer any *Place* of Divine Worship, nor *Performance* of it, of Value about *Twelve hundred* Pounds, or *Sixty* Pounds a Year. The other Part of the Estate already mortgag'd to me for *Eleven hundred* and *fifty* Pounds, and Interest, I was desirous to Charge with a Payment of *Sixty* Pounds a Year (a bare Equivalent for the Tythes) to the Society when Incorporated, in a manner agreeable to the *Corn Act* obtained in favour of the Universities in the Reign of Queen *Elizabeth*. The Incorporated Society would consist only of *five* Persons, a Principal and *four* Fellows his Assistants in the Affair of Education, who were always to have the Care of *thirty-two* Undergraduate Students, and *four* Servitors, and of no greater a Number. *Sixty* Pounds a Year to be equally divided between the *four* Fellows with the Revenue accruing to them equally as Tutors and Officers of the House, and with Convenient Apartments for the Reception of Themselves, and their respective Servitors, Rent-free, was considered as a Compleat Endowment for *Them*; whilst the Rent of the rest of the Chambers of the Hall (with the additional Revenue of a Public Lecture) was to be, as it always had been, the proper Endowment of the Principal.

*SIXTY* Pounds a Year then, as an Endowment to the four Tutors was *All* that I proposed to Give. My sole Design was the Education of young Men to the Sacred Profession, with that Sobriety, Simplicity, Prudence, Temper, and strict Honour as

would



would make the Learning they might acquire in the College of some Use to the World. Accordingly their Tutors were to be in Holy Orders, and the Estate in Tythes, or the Value of it, which once belong'd to Clergymen, was to do so again. For, without entering into a Dispute, whether the Appointment of an Estate consisting in Tythes, or an Equivalent, to the Use of Clergymen, was necessary in Point of Conscience, (which it may be, all things considered, it was not) I thought however it would be comely in Me, who was Myself a Clergyman, to apply an Income of this kind to the Benefit of Those of That Order; little imagining I should be obstructed in this View by Men of the *same* Order, and with that Keeness and Obstinacy, as if I had really been taking from *Them*, what I was bestowing upon their *Brethren*; and This, without a Possibility of any *due* Advantage to Themselves, since Their Interest in the Hall, whether Incorporated or not, would be the same; but, as it hath happen'd, with a Loss to Me, and to the Society, excessive, and unmerited.

I SAY Unmerited, because when the Opposition from the College first began, tho' I had been taught by my Counsel to despise it, yet, I offer'd, with the Chancellor's Consent, that every Third Head of the Intended College should be nominated out of their Own Body. This their Agent refus'd, since "*This*, he said, *would be no Advantage to the present Society who should none of them Live to be Heads:*" An Answer the Society had Time enough to have recall'd, if it had not been agreeable to their Instructions. From this Moment I began to have the meanest Opinion of them, and suspected They were aiming at their Own private Emolument, either a considerable Sum of Money to be immediately divided amongst them, or, instead of an ancient unvaried Rent of *One Pound Thirteen Shillings and Four Pence*, a variable One of *Twenty or Thirty Pounds a Year*, for an Estate They pretended to have in the Hall, which, as it afterwards prov'd, was not worth one Farthing. But they found they could prevail upon their Visitor to stop the Progress of the Charter, till their Pretensions should be considered to their Satisfaction; and imagin'd, I was so fond of my Own Scheme, as that I would have given *any* thing for the Success of it. In This (Mr. Vice-Chancellor) they were mistaken; for I have learnt to be fond of nothing in this World, and have an utter Reluctance to comply with unreasonable Demands, lest I thereby encourage Artful Men to clog with Difficulties all Charities intended for Others, in which they shall not find their own Account. But to return,

WHILST I aim'd by a small Benefaction of my Own to invite the Bounty of Others to the same Design, it hath been my Misfortune to have been much misrepresented, and to have had *Vanity* imputed to me as the Motive to it; and so great, as to have induc'd me to Overlook the Interest of my Family, in suffering a Diminution in my Paternal Fortune for the sake of being said to be the Founder of a College, which Few, but Those of the *Episcopal* Dignity, assisted by great Revenues, Ecclesiastical and Temporal, have ever pretended to.

BUT (Mr. Vice-Chancellor) you will be so good as to observe, That, what I propos'd to give to Others was of my Own Acquisition; That, if I had not been Oppos'd by *Exeter* College and their Visitor, I should have been Able to have paid my Respects to This Society in the Design'd Endowment, and, at the same time, to have left to my Posterity what I had received from my Ancestors; That there is not the least Appearance of *Vanity* in this whole Design; for that, if I have any Pleasure in proposing to be a small *Benefactor*, I do not arrogate to myself the Title of a *Founder*; That the Society intended to be incorporated is, with the same Simplicity, stil'd *Hertford* College, as, when it first began to be a Voluntary Society of Scholars, it was call'd *Hertford* Hall, without any greater Merit in *Elias Hertford* the Original Proprietor, than That of letting out his private Tenement to Scholars at a good Rent, and, afterwards, of selling the

the same for the perpetual Use of Scholars at a good Price ; That a Charity proceeding even from *Vanity*, ought not to have been obstructed without a very good Reason ; for, if there be less *Merit* in the *Doer* of it, there may still be as much *Use* in the thing *Done*, as if it had proceeded from a better Motive ; That *Other* Persons have Erected Colleges as well as *Bishops* ; That some Persons, even of *moderate Fortunes*, approving their Piety, have follow'd their Example ; That, when *Bishops* have Erected Colleges, their *Ability* to do it hath often been founded in the Piety of Other Men ; That, however, if any Bishop shall think it unseemly in a Person of so low a Station to presume to do This Act of Charity, which would better have become *His* greater Character, he shall have Liberty to do it whenever he pleases, and what was designed by *Me* for this Particular Purpose, shall be apply'd to some other Use ; and That, in the mean time, I hope the Visitor of *Hart-Hall* will not deem it *So* unseemly in the Principal, tho' a private Person, to have *Intended* a Publick Good of *THIS* Nature, *As* he will think it unbecoming Any Visitor of a College, Any *Founder's* Representative, to *Oppose* him in it.

HAVING thus laid before you, Mr. Vice-Chancellor, the *Motives* I had to *desire* the Incorporation of the Hall, and to *Contribute* to the *Endowment* of it, which I hope are *Innocent* at least, if not *Laudable*, I beg Leave, in the next place, just to mention the *Manner* of my proceeding towards the Accomplishment of my Design, that you may the better judge whether any Step hath been taken by me in the Prosecution of it, which deserves the Opposition that hath been given to it.

THE Chancellor of the University is the Patron of Halls. Upon the Death of my Predecessor in *Hart-Hall*, I was recommended to his Favour for the Vacant Headship by Dr. *Aldrich* then Dean of *Christ-Church*, and, at his Request, by Dr. *Compton* then Bishop of *London*, without my Knowledge, and at a Time when I had left the University, and was settled in a small Living at a great Distance from it.

I DISSEMBLE not that I accepted of This Preferment with a View of introducing a Method of Discipline into *This House* of Learning, varying from That of *Others* in such Particulars, as I thought would more effectually secure the Sobriety, Frugality, Conformity to Rules, and Application to Study, together with the Peace and Honour of the Society, than any I had as yet Experienced, or Heard described.

I SOON formed a Resolution, if I should succeed in This View, to *acquiesce* in the Headship of the Hall, and *resign* my Living in the Country ; or, if otherwise, to *resign* my Headship, and *retire* to my Living ; and, in the mean time, to content Myself with the *Produce* of my Living, and to apply the *Revenue* of the Headship to the Uses of the Society.

I WAS admitted to This Headship on the 28th of July, 1710. As the Revenue of it arose, I therewith discharged the Debts contracted by my Predecessors, in various Improvements, to the Amount of *One hundred and twenty Pounds, Twelve Shillings and Eleven Pence*. With *This Revenue* also ; and by the Sale of Useless Plate belonging to the Hall, with the Consent of the Visitor ; and by *Contributions* solicited from Persons who had formerly been Members of the Society ; and by the Voluntary *Donations* of my Own Friends and Acquaintance, and of Strangers favouring the Design ; and by a *great Sum* of Money borrowed, for which I pay an Interest to this Day, I built one Fourth part of a large Quadrangle, consisting of a Chapel consecrated at the Request of the Vice-Chancellor, the Representative of the Patron, in 1716, and of an Angle of Building, containing *fifteen* single Apartments, at an Expence of *Fourteen hundred eighty-six Pounds, Seven Shillings, and One Penny*. Proposing to build the Remainder of the College in the same manner, I purchas'd Ground and Houses contiguous to the Scite of the said Hall, and



and necessary to the compleating the Design'd Fabrick, to the Value of *One hundred and sixty Pounds* more.

BEING in this Forwardness, I was now desirous to get the Society Incorporated, and capable of receiving the Benefactions intended it. I apply'd to the Chancellor for his Consent. The Difficulties I then met with I forbear to mention, and am willing to forget, tho' they were the Cause of all the Misfortunes that have since happened to me. The Author is in his Grave, having first been the Instrument of Defeating My Project, without Accomplishing his *Own*. At length I obtained what I had desir'd. At the pressing Instance of my Friends, (particularly of Mr. *Strangeways*, heretofore a Member of this Society, and an Honour to it) the Chancellor signified his Consent to the Secretary of State in the most obliging manner. I petition'd the Crown for a Charter. The Petition was referred to the *Solicitor*, soon after *Attorney General*, with whom the Rector and Fellows of *Exeter College* had by this time enter'd a *Caveat*, praying to be heard by their Counsel, before He should make his *Report*. They were Heard. He made his Report. It was in my Favour. They pretended not to be satisfied with it. They Enter'd *Another Caveat* with the Lord *Privy-Seal*, as if they had wanted *Another Hearing*, and then got their Visitors to stop the Progress of the Charter, and prevent it. The following Expostulatory Letters were written to remove This Obstruction. I do not think myself at Liberty to print the Letters I received from his Lordship on this Occasion without his Lordship's Permission, but must leave you to guess at what They contain by my Answers to them.

#### No. I.

My Lord,

IT is now above *Six Weeks* ago that Mr. C ——— re call'd upon Me, to know precisely what it was I had propos'd to your Lordship by my Friends above. I told him, either, that your Lordship would Incline the *College* to accept of *fifty Years* Purchase of their Inheritance of *One Pound, Thirteen Shillings and Four Pence* a Year; (a) or, that, if they conceiv'd they had a further Right in *Hart-Hall*, your Lordship would Suffer the Matter to be heard before the Lord *Privy-Seal*, with whom the *College* (pretending not to be satisfied with the *Attorney-General's Report* in my Favour) had lodg'd a *Caveat* for this Purpose.

I FOUND Mr. C ——— re of Opinion, that the *College* would not be inclined to part with their ancient Rent: And, therefore, to make the thing easier, since I had offer'd them *fifty Years* Purchase of their Inheritance, which was about *Forty Pounds* more than its Value, I express'd myself willing, not only to pay them their *Ancient Rent* as I had used to do, but to give them also this *Overvalue* in Money, if I might be permitted to proceed to the Incorporation of the Hall, and the New Society be se-

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(a) For, of *That Value* their Inheritance was then generally understood to be. But, on further Enquiry, it does not appear that there was EVER paid to *Exeter College* for the *Two* little Messuages that are said to have been left them by their Founder within the Precincts of *That House* of Learning, now call'd *Hart-Hall*, any Greater or Other Yearly Rent than *One Pound*: The remaining *Thirteen Shillings and four Pence* a Year, which the Successive Principals of *Hart-Hall* anciently paid, as *Under Tenants*, to *Exeter College* for *Black-Hall* and *Cat-Hall* (Two other Messuages appertaining to the said *House* of Learning) for so long a time as The *College* held the Same by *Lease* from the UNIVERSITY, being now, from and after the Expiration of the said Lease in the Year 1663, due and payable to the Succeeding Lessees of the UNIVERSITY. And, it is to be hoped The UNIVERSITY will Interest Themselves in the Recovery of the annual Payment of the said *Thirteen Shillings and four Pence* due to their *Present Tenant*.

\* cur'd against any Molestation from *Exeter College* for the future. This is what Mr. C——re, who hath always pretended a *Friendship* for me, as indeed he hath *Obligations* (a) to me, undertook to relate to the Fellows of his College, and to represent to your Lordship.

\* ON *Saturday* last I had a further Conference with him, when he told me, he had as yet received no Answer from your Lordship; but that he found the *Fellows* of his College in much better Temper towards an Accommodation than they had formerly been. And propos'd to me from Them, That, if I would prevail upon their Rector to reimburse them the *Eighty Pounds* they had already expended in Opposing me, to the end that they might therewith be enabled to be at the further Charge of a Hearing, and would also engage, that he should not throw any Impediment in their Way to hinder the Success of their Proceedings, they would be willing the Matter should be heard before the Lord *Privy-Seal* as soon as was possible.

\* MY Answer to This was, That They supposed me to have a much greater Influence over their Rector than I really had; That in other Cases, wherein he had done me the Honour to Consult me, I had never found him Inclined to be guided by my

(a) Could I have foreseen (Mr. Vice-Chancellor) it would be one Day necessary for me to publish a Copy of my Letter to the Visitor, for your Information, and my own Defence, I should not, I think, have mentioned any thing of *this kind* in the Original: But having done it, I am not now at Liberty to make any Alterations, and must therefore give you the Reason why I did it.

When Mr. C——re first acquainted me with the Opposition, he told me he had no hand in it. When his Interesting himself in it could no longer be concealed, he pretended the Obligations he had to his College demanded This of him. When I put him in mind of the Report made in my Favour, and that, after he had done his Duty to his College, he might have shewn his Affection to his Friend, He said, No, he was less satisfied since he had seen the Report than he was before. To tell you the Truth, The *Stratagem* he had us'd to get a *Caveat* enter'd with the Lord *Privy-Seal*, and the Application He had made to his Visitor to hinder the Progress of the Charter to the Office, assur'd me that Enmity had succeeded in the Place of Friendship. But, not knowing whether, in two Years time, he might not of himself have disapproved of this *Trait d'Artifice*, or by others have been made sensible of the *Indecency* and *Injustice* of it, and been willing to repair the Injury he had done me, as far as he should be able, I own, I had a mind, by suggesting he had *Obligations* to me, to give his Visitor an Opportunity to take Notice, whether, in what should pass between Him and his Lordship on This Occasion, there was any the least Spark of Friendship or Gratitude reviving in him towards me; that, if there was, his Lordship might be more inclin'd to listen to what should be said by One, whom his Favourite was at length dispos'd to oblige; and, if there was not, he might begin to suspect he was countenancing a doubtful Man in a doubtful Case, who some time or other might prove *Ungrateful* to Himself.

However, I do not pretend to have laid any greater Obligation upon Mr. C——re than that of recommending him, (as I did several Others) to the Favour of the late Lord Chancellor *Macclesfield*, as a Student, to whom one of his Lordship's Pensions of *Thirty Guineas* a Year would be an acceptable Encouragement in his Studies, and who, to answer his Lordship's Design of promoting Learning in the University, would be willing now and then to Publish Something in his own Way, and agreeable to his Own Genius. I was instructed not to regard, in my Recommendations, of what Political Party the Men were, but of what Scholastic Merit. Admirable Instruction! and worthy of a Man who had so much of This Merit in himself, and was so quick a Discerner, and so large a Rewarder of it in Others. Mr. C——re seem'd to have good Abilities in a particular Way. I recommended him heartily. He was Accepted. I was pleas'd with having done him a good Office. He hath acknowledg'd himself much oblig'd to me both in Person and by Letter.

I do not, after all, overvalue This Obligation, neither, if, by Accidents unforeseen, he reap'd not the same Fruit of it that Others did, or not all the Fruit he might expect, is it of less Value. My good Will to him was the same. And the Disposition form'd in the Chancellor to serve him in this little Affair by my Recommendation, might possibly go some Way towards the Service he very soon after did him in a greater Matter, tho' at the immediate Instance of Another Person. And, I verily believe, the Sense of this Obligation, small as it is, or, as it may be esteem'd by him, after it hath been rated by his Disinclination to me, or further diminish'd by his known Acuteness in explaining it, would, (at least after the *Attorney-General's* Report) have been sufficient to restrain any Other Man from any Notable Activity in continuing to oppose a Design of Publick Good, the Success whereof was so much wish'd both by his Friend and his Patron, the only Two Persons, I believe, who had as yet oblig'd him, and from descending to such mean Arts in order to Defeat it, as could not be practis'd without the Impairment of his Moral Character.

Opinion;



‘ Opinion ; That, in the Case before us, tho’ he once writ (a) to me in *London* to ask Advice  
 ‘ of Counsel, whether the *Fellows* of his College could oblige him to call a *Meeting* about  
 ‘ my Affair, after the *Attorney-General* had made his Report, yet he Acted *before* he had  
 ‘ received

(a) In these Words, “ C——re and B——ly have been twice with me for my Consent and  
 “ Concurrence with them in their *New* Petition. I denied them at first, but the second time they  
 “ came with a *Master* in Chancery to *Compell* my Concurrence, or *Return* my Refusal. — Now, I  
 “ desire you to Consult your Counsel to know whether They can thus force my Consent.”

Exeter Coll. Oxon.

Dec. 11, 1724.

MATTH. HOLE.

The former Petition was for a Hearing before the *Attorney-General*. The *New* Petition was for  
 Another Hearing before the Lord *Privy-Seal*. With respect to the Conduct of these Gentlemen de-  
 scribed in this Letter, I have thus much to say.

1. I am of Opinion, they *did not* Themselves believe, after they had seen the *Attorney-General*’s  
 Report, that there was any *Occasion* for Another Hearing. For, if they *did*, why, after they had *Peti-*  
*tion’d* for it, did they get their Visitor to prevent it. But,

2. Allowing they *did* believe Another Hearing would be of Use to the College, yet they needed not  
 to have gone about to *Compell* the Rector to a Concurrence with them in their *New* Petition for it.  
 For, if they would have condescended to have made it evident that an Advantage to the College  
 might reasonably be expected from Another Hearing, or, to have shewn that any Lawyer of Note,  
 after having read the Report, had *Advis’d* it, he would have concurred with them *now*, as he did *be-*  
*fore*, without *Compulsion*. But,

3. If *Compulsion* had been necessary, yet it ought not to have come from an *Ordinary Attorney*,  
 introduc’d to him under the Character of a *Master* in Chancery sent on purpose to *Compell* his Consent,  
 or *Return* his Refusal. No. It ought regularly to have come from the *Visitor* of the College, who  
 had the College *Statutes* always before him, who was the proper Interpreter of the Statutes, and who  
 could have referr’d the Rector to *That* Statute in particular, if such a One there had been, which  
*Expressly* or *Interpretatively* oblig’d him, at *Their* Instance, to call a Convention of the Fellows at *Any*  
 Warning, to debate a Matter already *decided*, altho’ they should not first have so much as offer’d to  
 make it appear, that it would in any Respect whatsoever, be for the *Interest* or *Honour* of the College  
 to have that Matter re-consider’d.

4. They knew this Affair was not at this time under the Cognisance of the *Court* of Chancery, and  
 That this *Master* in Chancery had no Commission from that Court to apply to the Rector in This  
 manner. I enquire then, with what Prudence, or Decency, or Honesty, or Regard to Dignity or  
 Truth, they could attempt to authorise him to pretend to have it; even if the End they were in pur-  
 suit of had been Good and Important?

5. The Statutes of *Exeter* College require great *Reverence* to be shewn by the Members of the  
 Society to the *Person* of their Governour. These Gentlemen were, at the time of This Transaction,  
 under the Obligation, not only of the *Natural Duties* resulting from this Relation, but of a *Solemn*  
*Oath* also, to observe these Statutes. I enquire then, whether the Conduct above describ’d be such, as  
 that from thence it may be infer’d or conjectur’d they had either *Reverence* for their Governour, or  
*Sense* of their Duty, or *Regard* to their Oath? I am of Opinion, it was a Behaviour inconsistent with  
 that Reverence which was due to *Themselves*. For (not to say any thing more than is necessary of  
 the Other Person who is dead, and was thought to be under Influence when living) Mr. C——re  
 was at this time in *Holy Orders*, had been so for many Years, was above standing for the Degree of  
 Bachelor in Divinity, a Preacher before the University in *his* way noted, intrusted in his Owri  
 Society with the Education of Youth, and of Some young Gentlemen in particular of great Family and  
 Fortune: Characters that will not by any means allow of such Departures from *Simplicity* and *Honour*,  
 as there manifestly appear to have been in This *Stratagem*.

Mr. C——re hath told Me, as I question not but he hath many Others, that if he had not made  
 Use of This *Stratagem*, he could never have prevailed upon the Rector to have called a Meeting of  
 the Fellows upon This Affair.

Most excellent Judgment! to arrogate to himself a *Value* from so puerile a *Cheat*! By prevailing,  
 he hath indeed the usual Opportunity of Imputing to his *Skill* what, after all, might be Owing to his  
*Fortune*; but what, if Allowed to his *Skill*, is a Hurt to his *Reputation*.

Suppose he had not prevailed, or not so much as *Tried* to prevail, let us see what would then have  
 been the Consequence.

Why, Then, the *Acquiescence* of the College in the Report, which Their Rector *Advis’d*, and which,  
 since they had nothing to say against it, was Their *Duty*, would have been Presum’d.

Then the Opposition which they had *hitherto* given might have been thought to have proceeded  
 from a due Care only of their College *Rights*, and not from any *Desire* they may *now* be suspected to  
 have had to *obstruct* a Publick Good for Private Ends.

Then an Industrious, Inoffensive Man, meaning well to his Society, to the University, to Mr.  
 C——re in particular, and who was not conscious to himself to have said one Word, or done one  
 Thing to disoblige either *Him*, or any Other Member of the College, had met with no further Inter-  
 ruption in his Design.

received the Advice (a) he had desired, or *differently* from it; That, excepting the Application I had made to him, as a Governour of a Society, for his Countenance to my Design, in the same manner as I had apply'd to the rest of the Heads of Houses, when Our Chancellor had writ to have their Opinion of it in a General Meeting, I had never desir'd any Favour from him; That I had been told indeed, he had often made Use of my Name in Conversation with his Fellows, but that, as he had done This

Then a Charter for the Incorporation of the Hall had been obtain'd, and the Society put into a Capacity of receiving the Benefactions intended it, and the New College have been wholly Built and Endow'd before this time.

Then the Principal and Tutors would have had a proper Reward for their Care of Two and Thirty Students, and Two and Thirty Students a Help in the Charge of their Education sufficient to have secur'd their Observance of the Rules of the Place where they were Educated.

Then the Principal would have had no Occasion to *show*, as he now hath, that he *ought not* to have been obstructed in his Pursuit of These Ends, nor to say Those derogatory Things of Others, it is now made necessary for him to say in his own Defence, and which, if his Own Defence had not requir'd it, he had much rather *not* have said.

Then Mr. C——re would not have suffer'd so much in his Reputation, as he now suffers; at least not upon this Account.

Then the Influence of what he hath written or shall write, or hath preach'd or shall preach in Defence of Christianity, *not abated* by a Conduct absolutely inconsistent with the Precepts of it, would have been greater.

And then Every thing would have been just as it *ought* to have been.

(a) I received the above-recited Letter late in the Evening on Saturday, and, finding what the Fellows were doing with their poor Rector, was in hopes to have preserv'd him from Ridicule, by writing to him that very Post. "I will consult Counsel on Monday; in the mean time keep yourself firm, and I will be responsible for any Damage you shall sustain by it. I will write to you on Monday Night."

London, 12 Dec. 1724.

Yours, &c.

But all in vain, for before this Letter could arrive, they had got a Compleat Victory, and were Triumphant in his Defeat, and Applauding their own Ingenuity by which it had been contriv'd. I was not surpris'd; for tho' He often fled to me in his Distress, yet he never follow'd my Advice in a single Instance. By thus applying to me, and consulting me, and favouring me with his good Opinion and kind Expressions, he might, for ought I know, have induc'd a Belief that I had some Influence over Him, which I never had. A Pretended Master in Chancery, or a Dropp'd Letter, or a Visitor's Injunction, any kind of Terror, real or feign'd, would, at any time, have made him recede from his Purpose, and sometimes from Points which ought to have been maintain'd. He was an Honest Man so far as a Timorous Man can be so, an Excellent Practical Preacher, and Catechetical Writer, but a very Unfit Governor of a College. The Familiarities he would descend to with the inferior Part of the Society, and the Insolence and Undutifulness he would suffer in the Superior with Impunity, made him insignificant in That Station, and indeed Contemptible.

I was told, by one of their Own Fellows, that the Persons in the Opposition had got a Copy of This Letter, and had made Themselves Merry with it. When I enquir'd which Way it could come into their Hands, he told me, It was a thing not Unusual, when they waited upon the Rector, either having, or pretending to have Business with him, for one of them to hold him in Discourse, and for another to possess himself of his Letters that lay carelessly in his Window, or upon his Table, and, after having retir'd and read, or copied them, to return and lay them again where he found them. I am sensible it was not very difficult to do this; for, going Myself to Visit him after I came home, and seeing this very Letter, which I knew by the Supercription, still lying upon his Table, and not being willing it should be again expos'd, or hereafter misrepresented, I took it away without his Notice. And, tho' I do not charge Mr. C——re, or Mr. B. or any other Person by Name, with having taken away This Letter in This manner, yet, that Mr. C——re had read It, or a Copy of it, or had heard it read, or recited, is certain; for he once repeated it to Me, (tho' not with Exactness) and imputed to me the having writ it as a Thing, in his Opinion, Irregular. I am sorry to have writ it, if it was Irregular; but, I own, I had different Sentiments of That Matter. It is natural and laudable for Heads of Houses to Consult one another in the Difficulties they meet with in their respective Societies; and as natural and laudable for the Person consulted to Advise what he thinks will be most for the Good of Him and his Society. And tho' the Fellows in the Opposition thought they ought to have been let alone in the Management of their Own Rector, and that it was very Impertinent in Me to interpose My Advice to hinder the Success of their Attempts upon him, yet, when I found they were going to Expose Themselves and their Governour in a shameful manner, I thought otherwise, and was willing to prevent it. Nor does it appear from the Letter I sent him on Monday, (which, I suppose, they have a Copy of) that I had any Other View, than that the Rector should conduct in this Affair with Propriety, without any Regard to Me: For, His Consenting to call a Meeting could not possibly be a Disadvantage to Me. His not Consenting might. For then their Visitor might have had some Pretence to stop the Progress of the Charter until He should have consented. But the doing This, after the Rector had Consented to call a Meeting; and after it had been agreed in that Meeting to enter a Caveat with the Lord Privy-Seal, that they might have Another Hearing; and after they had actually Entered the said Caveat, and, as was pretended, for That very Purpose, remains, and, as I apprehend, will ever remain incapable of being justified.

without



without my Authority, so, if I was rightly inform'd of the *Manner* in which he had done it, without my Approbation; That, with regard to the Reimbursement of the Charge of the Opposition, I had never dissuaded him from it, but, on the contrary, had assur'd him, it was my Opinion, since he had concurr'd in the *Opposition*, he ought to have no Reluctance to defray the *Expence* of it out of the publick Stock; and that, if he had not done this, they might plainly perceive how little I was likely to prevail with him to do it, by any thing that I should hereafter be able to say to him; That, however, if they thought I had a particular Interest in him, I would certainly use it to the utmost to induce him to do what they desired, provided the *College* would acquiesce in the *Attorney-General's* Report; but that, if the Money to be reimburs'd by Him, at My earnest Intreaty, was to be employ'd again in any *fresh* Opposition, as, I could not conceive, that the *Rector*, who had never any Opinion of their Cause, would be prevailed upon to countenance any further Charge in it, so neither could I see how it could become Me to concern Myself which Way they might be enabled to persevere in opposing me, who had certainly a *Right* to be heard where they had enter'd their *Caveat*, whether they were in This or any Other Respect prepar'd for a *Hearing* or not; That, as to their *Rector's* being an Impediment to the Success of their Cause, it was mysterious to me how they could possibly have any such Apprehension, since He had already concurr'd with them in entering the *Caveat* above-mention'd; Since they had all Papers relating to their Cause in their own Custody, (for they had produc'd them at the *Hearing* in the *Attorney-General's* Chambers, and had there made no Complaint that the *Rector* had with-held any thing from them) and especially since the *Rector*, if he had any material Writing in his Hands, might be compell'd to Exhibit it, and to do any such further Act as should be thought of Service to the *College* in the present Case.

Mr. C——re having, as I imagine, communicated thus much to the Society, came to me again on *Thursday* the 27th Instant, to let me know, that they were still of the same Opinion, and could make no Other Proposal than what they had before made to me.

BEING resolv'd, My Lord, to do every thing that was reasonable on My part, I desir'd Mr. C——re, this Morning, by a Common Friend, to peruse the Inclos'd Copy of a Letter to the *Rector*, which if He approv'd I would send. He answer'd, That he approv'd of it, and if it produc'd the desir'd Effect, the *College* would be willing I should be *Heard*, otherwise not. So that unless I, who have never been able to prevail with the *Rector* to do any one thing in my Life, (except to give his Consent to the Incorporation, which it would have been shameful for any Governor of a Society to have refus'd) will apply to him, in a manner no ways becoming Me, to reimburse them the Money they have, in his Opinion, indifferently expended in Opposing me, to the End that; it may again be employ'd in further Opposition to Me, and will succeed also in my Application, whether it be in My Power or no, I shall not, with the Leave of *Exeter College*, have common Justice done me. But, my Lord, I hope better Things from your Lordship's Honour and Integrity, and, to this End, have presum'd to give your Lordship the Trouble of This Representation. Your Lordship, I trust, will believe with Me and my Friends, that I have a *Right* to be *Heard*. And I am ready to send the Inclos'd Letter to the *Rector*, if your Lordship, comparing it with what I have here observ'd, shall think it all that is reasonable for me to do, in order to procure the *College* a fair Hearing, and will not, with the *College*, insist upon Matters improper, or impracticable, to occasion further Delays, after what I have suffer'd by Those which have already been given to, My Lord,

Your LORDSHIP'S

most Faithful, and most Obedient Servant,

Hart-Hall,

29 Apr. 1727.

R. NEWTON.

A Copy of the LETTER propos'd to have been sent to the *Rector*  
of *Exeter College*.

Mr. *Rector*,

SOME of the *Fellows* of your College seem to be of Opinion, that you refuse to pay them the *Eighty Pounds* they have expended in opposing the Incorporation of *Hart-Hall*, as a Thing that is agreeable to *Me*; and to apprehend, that if they should give way to a *Hearing* before the Lord *Privy-Seal*, you would endeavour to thwart them in their Proceedings, and to hinder the Success of their Cause. I am not to direct You what is proper for you to do in the Government of your College, but will, however, beg Leave to assure you, that I do not by any means desire, that you should refuse to reimburse them their Expences on My Account, or with-hold any Writing from them, which they shall think will be of Service to them at the Hearing, or refuse them any kind of Assistance towards their coming to a thorough Knowledge of their Cause, or Success in it. I am, Mr. *Rector*,

Yours, &c.

No. II.

My Lord,

I MOST humbly thank your Lordship for the Favour of your Letter. In answer to it, I beg Leave to observe, that, being as well affected to his Majesty as any Other Subject, I hope I am not less entitled to any Act of his Majesty's Free Grace, which it will not be to the Dishonour of the Crown to grant. And I think it but reasonable, that if Any one Pretend, that an Act of his Majesty's Free Grace extended to *Me* will be prejudicial to Him, he make This Appear, before he stop the Current of the Royal Favour towards me.

FOR the obtaining Charters of the Crown there is a certain Method of Proceeding prescrib'd to the Subject; and such a one as gives every Person Opportunity to set forth That Claim which he shall think a Charter, if granted, will prejudice. He may be heard before the Attorney-General, before the Lord Privy-Seal, before the Lord Chancellor. My Lord, I proceed in This Method. I take no New or Unusual Step to accomplish my Design. If Exeter College apprehend that a Charter granted to me will be a Prejudice to them, They have a Right to be heard at any of Those Stages thro' which I am to pass; and where They have a Right to be Heard I have likewise, What I complain of, then, and, as I think, Justly is, That I am interrupted in the Ordinary Course of Proceeding in an Extraordinary manner, and that, where They are permitted to be Heard, I am not.

WHEN my Petition to the Crown was Referr'd to the Attorney-General, The College desir'd to be Heard before he should make his Report. Their Visitor, that was then, did not Prevent my coming to be Heard where They had Enter'd their Caveat. We were severally Heard by our respective Counsel. The Attorney-General made his Report. He Reported that the College had not the Right which they claim'd. An Act of his Majesty's Free Grace to *Me* was not, then, a Prejudice to Exeter College, in the Opinion of the Attorney-General.

THE



‘ THE College say, They are *not satisfied* with the Report. They Desire to be Heard again by the Lord Privy-Seal when I shall come with my *Instruments* to pass That Office. They Enter a *Caveat* there for This Purpose. With great Application and Expence I get my *Instruments* ready for the King’s Signing, that I may come regularly to the Office. It is not more JUST that the College should have liberty to Enter This Second *Caveat*, than it is JUST that I should be permitted to Hear what they have to say, and to Reply thereto. But, am I permitted to do This, my Lord? Am I not Intercepted in my way to the Office where the *Caveat* lies? Hath not Application been made by their *Present* Visitor to Those Great Persons who were desirous to oblige me, that my *Instruments* should *not be sign’d* by his Majesty? Can I come to the Office till they are signed? Whilst the College pretend to Desire a Second Hearing, am I not disabled by Them from coming to the Place of Hearing? Ought it to be esteem’d a Prejudice to Exeter College, That I hasten to Come where They have desir’d to Meet me, in order to have the Opinion of so Learned a Lawyer, and so Equal a Judge as is the Lord Privy-Seal (a), whether a Charter granted to Me will indeed be a Prejudice to Them or not? Have not These Measures occasion’d a tedious Delay in My Affair? And This Delay been of Infinite Disadvantage to me? And are not the Society, who have been the Authors of the Delay, the Authors of all that I have suffer’d by it? I hope, therefore, your Lordship will not take it amiss, if so great a Sufferer think he hath reason to Complain that he hath not COMMON JUSTICE done him.

‘ BUT your Lordship is pleas’d to suggest, that the College are not in a Reasonable State of Defence. My Lord, this is not My Concern. They have had Two years time to put themselves into this State of Defence, and I have been so long a Sufferer by their Neglecting to do it. It is sufficient for me that I have in No respect been the Occasion that they are not in a Reasonable State of Defence. It ought not to have been Desir’d of Me, much less Insisted on, that I should put my Adversaries into a State of Defence. An Application from the College to Me, that I would do This is not Decent. For Me to concern Myself in it is not Natural. Neither, if I should attempt it, have I the least power to effect it. This Application which is made to Me ought regularly to have been made to your Lordship. Your Lordship is the Visitor and Patron of the College. And it is comely in your Lordship to support it in all its JUST Claims, by all JUST Means. And the Statutes enable your Lordship to Compel the Rector to give proper Persons Access to the College Muniments, if he Demies it, which, I believe, he does not; (b) and to do whatsoever else is necessary for the Defence of the College Rights. If then the Society are in a Disarm’d and Destitute Condition (c), your Lordship hath full Power to Relieve Them, without Distressing Me. In the mean time, I conceive, I have a Right to be Heard, and that it becomes me, instead of being solicitous to put the College into a State of Defence, to provide for my Own Defence. And yet your Lordship seems to be of opinion, that, if the College will Consent to my being Heard, even upon the difficult and unreasonable Terms they insist on, I am Oblig’d (d) to them. I should be sorry, my Lord, to be backward in my Acknowledgments where I receive any Obligations. But, with Submission, I cannot see that I have

(a) The late Lord Trevor.

(b) *Voilà la Duplicité & le Deguisement!* The Rector, upon My Enquiry, averr’d to me, “There was not the least Ground for this Insinuation; That the Muniments they pretended to Want for their Defence, were All in their Own Keeping, not One of them having been return’d into the Bursary since the Hearing before the Attorney-General; and that No Application had since been made to him for any further Search.” And thus much I imparted to their Visitor in my Letter to his Lordship, No. 3.

(c) N. B. When, after the Death of Dr. Hole, his Successor became possessed both of the Treasure and the Archives of the College, the Opposition to a Hearing was nevertheless continu’d.

(d) *Quod est Beneficium Latronum? nisi ut commemorare possint iis se Vitam Dedisse quibus non Aderint.*

‘ herein the *least* Obligation to *Exeter* College. A *College* is no more than a *Private Person* in Matter of *Right*. To *Enter* a *Caveat*, as if they believ’d they *Had* a *Right*, and, yet, to *Prevent* a *Hearing*, whereby it may be discover’d whether they *Have* any *Right* or *no*, is an *Act* of *POWER*; and I can have no *Other* Obligation to *Exeter* College, that they at length suffer me to be *Heard*, (if so they should be *Inclin’d*), than I have to a *Person*, who hath *already* *INJUR’d* me in a *Great* Degree, that he will not do it in a *Greater*.

‘ *My Lord*, the *Justest* Man upon *Earth* may be *Misled* by *Misrepresentations*. I verily believe your *Lordship* to be so in the *Present* Case; and that *Things* and *Persons* are not plac’d in that *Light* before your *Lordship* in which they *ought* to appear. *RIGHT* is the *Pretence* of *Perfisting* to *Oppose* me, but the *Reason* of doing it is, in my *Opinion*, something else not so *Plausible*; to which *Delays* are *Thought* as *Useful*, as *Entring* *CAVEATS* and *Preventing* *HEARINGS* are to *Delays*. *Mr. A*—ll had no *Scruple* to tell my *Sollicitor*, immediately after They had *Enter’d* Their *First* *CAVEAT*, and before they had as yet had *Any* *Hearing*, “*That they would oppose me to the utmost: That they would meet me at every Turn: That they had enter’d a Caveat with the Attorney-General; and, if they did not succeed there, they would enter Another with the Lord Privy-Seal; and, if they did not succeed there, Another with the Lord Chancellor.*” And, in pursuance of This *Scheme*, (after the *Attorney-General* had made his *Report* in my *Favour*) *Mr. C*—re and *Mr. B*—ly frighten the *Rector* by a *Stratagem* (a) into the *Calling* of a *Meeting*, consisting when met of a very *small* Number, and those chiefly *Undergraduates* and *Batchelors* (b) under *Mr. C*—re’s *Influence*, where it is agreed, without *Debate*, and against the *Rector’s* *Opinion*, not to acquiesce in the said *Report*, but to *Enter* another *Caveat*; and then address your *Lordship* to stop the *signing* My *Instruments*, lest I should come to be *Heard*, where, it may well be suspected, they have nothing to *Say*.

‘ *BUT* what is there of *Dignity*, or *Honour*, in all This *Proceeding*? What is there in it that is *Worthy* of a *Man*, much less of *Men* who have had the *Advantage* of a *Liberal Education*? Or, rather, what is there in it, besides *Art* and *Management*, and *Abuse* of your *Lordship’s* *Good-Will* towards them, and *Interest* to serve them?

‘ *BUT*, my *Lord*, *Resolutions* like These to defeat, at *Any* rate, the *Establishment* of a *Charity*, and such an One as *That* by which They Themselves do *subsist*; a *Charity* so agreeing with the *Intention* of their *Founder*, who hath *Ordain’d* This *Place* for the *Advancement* of *Learning* and *Knowledge*, and so consistent with the *Security* to the *College* of every *Right* he hath left them, are what, I am confident, your *Lordship* will not approve. And I hope your *Lordship* will think it as agreeable to the *Trust* reposed in your *Lordship*, as the *Visitor* of This *Society*, to *Dissuade* them from *Opposing* the *Rights* of *Others*, as to *Assist* them in the *Maintenance* of their *Own*. I am,

My *LORD*,  
Hart-Hall, Your *LORDSHIP’S*  
May 11, 1727. most Faithful and most Obedient Servant,

R. N.

(a) That above-mentioned.

(b) “I propos’d to them [when Conven’d] Whether they would *Acquiesce* in the *Attorney-General’s* Report, and the *Proceedings* thereupon, or *Go on* further to *Petition* for *Another* *Hearing*: Withal declaring my *Own* *Acquiescence* in the first, and *Advising* them for the *Peace* and *Quiet* of the *College* to do the same. However, upon their *Voting* in it, the *Majority* of them, consisting of *Undergraduates* and *Batchelors*, who know little of those *Matters*, carried it for *Another* *Hearing*.”

*Exon. Coll. Oxon.*

*Dec. 18, 1724.*

MATTH. HOLE.

No. III.



## No. III.

My Lord,

‘ **T**O give the Society all *Proper* Satisfaction will be Easy for me to do, or rather I have already done it: but to give them the Satisfaction which they are pleas’d to *Think* proper, is not in my Power. If the College, therefore, will not be satisfied with any thing that is *Reasonable*, nor your Lordship be satisfied, unless *They* are so, I am just where I was, and there I must be contented to stay. For I do not want to be inform’d by so good a hand as your Lordship’s, That your Lordship will be Heard by Our noble Friends before a Person in My Obscurity. No, My Lord, The *Power*, I yield, is with your *Lordship*; but the *Right*, I contend, is with *Me*. And, if as *Reasonable* an *Attention* might be given to *Me* as to your *Lordship*, I have no doubt but it would so appear. I shall not go about to *derogate* from the Merit of the Men of whom your Lordship hath so high an Opinion. Whatever it is, I have shewn that I have been forward to *acknowledge* it; and I lament to find it mix’d with so much Frailty. They may *Pretend* to have no other Motives to continue the Opposition than the Honour and Interest of *Exeter* College. But how far their *Interest* is concern’d in it, they call upon your Lordship to *binder* from being Tried; and how far they hereby consult either their *Own Honour* or your *Lordship*’s, the World must judge. To Me they seem, in This Procedure, to Want That *Respect* for your Lordship, which is Due to Their *Visitor*; and to Me Their *Visitor* seems to think himself under *Greater Obligations* (a) to the Society than any Visitor, as *such*, (a) can be. Since My last to your  
‘ Lordship,

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(a) The Term *Obligations* is ambiguous. It may be understood of *Obligations* to the Society for *Services* they may have done their Visitor, or of *Obligations* to the Society which his *Duty* to them, as their Visitor, lays him under.

With respect to the former Acceptation, a Visitor ought to be under *No* Obligations to the Society. He is not to Interest himself in the Choice either of *Head* or *Fellows*. The *Qualifications* of the *Candidates* are specified, and the *Electors* are upon their *Oaths*. To *ask* these Favours is to corrupt the Society. To *receive* them is to corrupt *Himself*; it is to contract such Obligations as may make him *Negligent* of his Duty, or *Partial* in the Execution of it; it is an *Art* to remove out of the Society all *Fear* of being Obnoxious, and to create in himself a *Reluctance* to take Notice of Those who are so.

A Visitor then, as *such*, can have no *Other* Obligations to the Society than what his *Duty*, as their Visitor, lays him under. What is his *Duty* as their Visitor, and consequently, what are his *Obligations* to the Society, may be learn’d from the Founder’s *Statutes*.

Some have pretended that, *strictly* speaking, the Visitor is under *No* Obligation by the Founder’s *Statutes* to concern himself *about* the Society. The Founder, indeed, supposing him to be *inflam’d* with Zeal for the *Christian Religion*, hath confided in him, that he will be *watchful* over them, will see that his Rules are effectually *observ’d*, Virtue and Learning *cherish’d*, and their Rights *protected*; He hath likewise intrusted him with *Power* sufficient for these Purposes; and besought him *by the Bowels of Jesus Christ* that he would use it. But, after all, who shall *OBLIGE* him to This, if he be not so inclin’d? Had he been intrusted with their *Money*, a Court of Equity would have oblig’d him to *Account*; not so, intrusted with their *Morals*.

But surely, nothing more can be meant by this Reasoning, than that a Neglect of his Duty is not Cognizable in *Human Courts*: for whoever Accepts a *Station* whereto a Trust is annex’d, accepts the *Trust*, and is thereby oblig’d in the Court of *Conscience* to discharge the Duties of it with Fidelity.

To Protect the *Rights* of the Society is manifestly *One* of the *Duties* belonging to the Founder’s *Representative*. But, if what they claim as a *Right* be Disputed, all that can be his *Duty* here is to Assist them towards coming to a *Knowledge*, whether what they claim AS their *Right*, BE their *Right* or no; to prevent their being *Surpris’d* into the Loss of it; or *Overborn* by superior Power in their Attempts to maintain it. But it cannot be his *Duty*, at their Instance, to make the Seat of *Justice* inaccessible, and consequently, the *Trial* and *Decision* of that which is Disputed Impossible. It cannot be his *Duty* to do whatever the Society shall *Desire* of him, without enquiring whether what they desire be *reasonable* in itself, and *fit* for Him to appear in.

Founders of Colleges seem to have lodg’d the *Visitatorial Power* in the Hands of *Great Men*, that, by the *Interest* they would probably have in the *State*, they might be the better able to protect these *Seminaries* of Piety and Virtue in their Possessions, Rights and Privileges. But they seem equally to have

' Lordship, the *Reſtor* of the College, whom I had not ſeen of a long Season, call'd at  
 ' My Lodgings, when I took the Opportunity to *Say* to him what I had propos'd to  
 ' *Write*, if your Lordship had thought *That* ſufficient; and I ſaid it ſeriously. The  
 ' Reluctance, I find he has to the Reimburſement is founded in the horrid Contempt  
 ' and Indignity with which, he complains, he hath been always treated by my Oppo-  
 ' ſers. " *The Muniments they pretend to want for their Defence are all in their Own Keep-*  
 " *ing, not one of them having been return'd into the Buſary ſince the Hearing before the*  
 " *Attorney-General. No Application hath been ſince made to him for any further Search."*  
 ' My Lord, I beg your Lordship's Pardon for having given your Lordship ſo much  
 ' Trouble in an Affair that, I ſhould have thought, might have *deſerv'd* rather Counte-

have deſigned that This Power ſhould lie in the Hands of Good Men too, who would protect them in  
 That only which was Juſt, and wherein alone it could be comely in Men profeſſing a regard to Piety  
 and Virtue to *Deſire* Protection, and who would not uſe the *Interſt* they had in the State to Enable  
*Societies to INJURE Private Men.* The *Duties* they owe, as *Viſitors*, to their reſpective Societies, va-  
 cate not the *Duties* they Owe, as *Men*, to Mankind.

The Statutes, it is true, call the Founder's Representative the *Patron* as well as *Viſitor* of his College.  
 But ſtill the Good can Patronize that only which is Good. The Good, as far as their Power reaches, are  
*Patrons* to the whole World, however Thoſe, who are immediately under their Inſpection and Care,  
 may hope for the Privilege of being firſt regarded.

I am not for hindring Applications from the Society to their *Patron* that he would do them All Good  
*Offices.* I am not for diverting Any Viſitor's *Affection* and *Friendſhip* from the College of which he is  
 the *Patron.* I only beg the *Friendſhip* there is between *Them*, may not be a League of *Enmity* againſt  
*Me*, and my *Deſign* of Public Good no way interfering with their Private Rights. I only intreat they  
 would mutually Agree to have This the *Prima Lex Amicitia*, UT AB AMICIS HONESTA PETAMUS,  
 AMICORUM GRATIA HONESTA FACIAMUS. Cic.

His Lordship, without doubt, has *Reaſons* for what he did: Which when he ſhall do me the Honour  
 to impart, (for I have not, as yet, been thought worthy of any kind of Satisfaction) I will conſider  
 them with the Attention they ſhall deſerve. But, 'till theſe Reaſons appear, I cannot but think, what  
 his Lordship did for the Society in ſhutting up the Way to the Office where they had enter'd their  
*Caveat*, was not a DUTY he ow'd to them, as their VISITOR. Had I been their Viſitor, I ſhould  
 not have comply'd with them in a Request ſo Unreaſonable in itſelf, and ſo full of *Diſreſpect* to *Me*.  
 They ſhould not have made *Me* a Party in their little ſelfiſh Schemes. Inſtead of *Countenance* and *Aid*  
 in wrong Purſuits, I ſhould rather have given them my *Advice* in ſome ſuch ſimple manner.

Gentlemen,

THERE is no one can be more Diſpos'd to ſerve you than, upon all proper Occaſions, you ſhall  
 find Me to be, particularly in Matters relating to the *Eſtates* you are entitled to by the Liberality  
 of your Founder, in whoſe Place I ſhall always conſider Myſelf to ſtand, and be ready to do for you,  
 in every diſputable Caſe, what I verily believe He himſelf, were he living, would, in ſuch Caſe, have  
 done. He was the Founder of a College Himſelf, and probably would have wiſh'd Succeſs to Others of  
 the like Pious and Beneficent Minds. With regard to the *Tenement* you claim, you acknowledge it is  
*Ordain'd for the Advancement of Learning*; and which way can the *Appropriation* of it to This Uſe be  
 better ſecur'd than by a *Charter*? Both Myſelf and You, in different Universities, have reap'd the Fruits  
 of This Sort of Charity for many Years, and, unleſs there be ſome very Subſtantial Reaſon for it indeed,  
 I doubt it will hardly become You to *Deſire*, or Me to *Aſſiſt* you, to Deſeat Other Scholars of thoſe Ad-  
 vantages which we Ourſelves have receiv'd. The Inſtitution, it is true, is attended but with ſmall En-  
 dowments, but it hath however been Approv'd by very Wiſe and very Learned Men; and a particular  
*Reſpect* is therein ſhewn to the preſent Government; and Perſons of the greateſt Rank, and beſt Af-  
 fection to the Government have appear'd to Interſt themſelves in getting it Eſtabliſh'd; and if, by  
 moderate Endowments, the ſame good Ends may be obtain'd, one ſhould rather, I think, Applaud the  
 Contrivance, than Oppoſe the Inſtitution. Beſides This, your Caſe has been already argu'd before the  
*Attorney-General*, and the Report is againſt you. He is a Perſon of ſuch *Conſummate Skill* in the Courts  
 both of Law and Equity, that it is hardly poſſible he ſhould be Miſtaken. However, I ſay not This, abſo-  
 lutely to Diſcourage you from any further Proſecution of this Caſe if there be any Life in it, (for you  
 may be aſſur'd of my Diligence to ſerve you when That ſhall appear, (tho' I hope that even THEN you  
 will be contented with a Moderate Conſideration for the Right which ſhall be found to belong to you;) but  
 to Invite you to ſtate your Caſe with your *Objections* to the Report, and with the New Matter you  
 have to offer, that I may forthwith Advise, in your behalf, with ſome learned Counſel, what is further to  
 be done with Proſpect of Succeſs, and without Reproach, that in the Steps I ſhall take for your Service I  
 may be Juſtified by His Authority. One Step, I can tell you beforehand, will be too Adventurous. The  
 ſtopping the Progreſs of the Charter to the Office where your Caveat lies, will draw an Odium upon  
 You and Me from all good Men, and very Juſtly. Nor is there Need of it. For, if your Counſel be  
 Clear that you have an Undoubted Right, the ſame will Appear when you come again to be Heard; and,  
 if He think you have not, it is better you ſhould not contend. Whereas, if We proceed by Violence  
 to ſhut up the Way to the Place where the Thing in Diſpute ſhould regularly be Decided, I need not  
 tell you that the INFAMY of ſuch a Step, in the Circumſtances of This Caſe, will be Indelible, and  
 the INJURY done by it Irreparable.



‘ nance than Discouragement. I will give your Lordship no *More*. (a) I am, My  
 ‘ Lord,

*Your LORDSHIP'S*

*Hart-Hall,*

May 25, 1727.

*most Faithful and most Obedient Servant,*

R. N.

## No. VI.

*My Lord,*

‘ **I** ONCE more adventure to trouble your Lordship about the *Old Affair*, and to  
 ‘ beg that I may not be utterly *defeated* in my Design, nor *cenfur'd* as Deserving to  
 ‘ be so: but that, since the Design is *Laudable* in Itself; since no *Irregular Step* hath  
 ‘ been taken by me to Accomplish it; since the Like hath never been obstructed in  
 ‘ *This*, nor, I believe, in *Any University* before; since Those who are every Day re-  
 ‘ fresh'd with the Stream of their Founder's Charity, can neither *Decently*, nor *Inno-*  
 ‘ *cently* stop the Current of the Like Charity to Others, if they will not be *Hurt* by it  
 ‘ Themselves; since they have never shewn they shall be hurt by it Themselves, tho'  
 ‘ they have had the *best* Opportunities of doing it; since the *Contrary* might easily be  
 ‘ made to appear, if the Opportunity I so *reasonably* desire was allowed me; I may at  
 ‘ last with your Lordship's Leave proceed to make use of my Friend's Assistance to  
 ‘ *Incorporate* and *Endow* the Society, whilst *They* are *Able* and *Willing* to give it Me, and  
 ‘ I am in a *Condition* to receive it.

‘ If Those who Oppose me, would suffer Themselves to think *seriously* of These  
 ‘ Matters, I am persuaded, They would rather forego some little Advantage to *Them-*  
 ‘ *selves*, than discourage any Intention of Beneficence in Me to *Others*. But I do not  
 ‘ desire so much of Them. All I desire is, that where they have enter'd a *Caveat*  
 ‘ with design, as is pretended, to be further *Heard* with regard to their Right, I may  
 ‘ be permitted to come and hear what they have farther to say.

‘ **T**HERE was a Time, when the *College* complain'd the *Late Rector* would not re-  
 ‘ imburse them the Expence they had been at in a former Opposition, and that they  
 ‘ could not then be at the Charge of a *Hearing* before the *Lord Privy-Seal*. This  
 ‘ Reason, if it was *then* sufficient to induce your Lordship to hinder my coming to the  
 ‘ Office where the *Caveat* lay, is not so *now*, the *Present Rector* having assur'd me,  
 ‘ since the Death of the Former, that all Objections to my being *Heard* are *now*  
 ‘ remov'd.

‘ It is pretended, indeed, since this Declaration was made, that a *Hearing* before  
 ‘ the *Lord Privy-Seal* would not be *Decisive*, and that, when I should get to That  
 ‘ Office, (which yet they knew I could not do without your Lordship's Permission,)  
 ‘ they should desire their *Right* might be Tried at *Common Law*. Whatever be their  
 ‘ *Right*, it cannot sure, be so considerable, as to deserve the *Formality* and *Expence* of

(a) Notwithstanding I had determin'd to Write no more to his Lordship, yet, some Years after, a  
 Misrepresentation, by Dr. C. to the Bishop, of what was said by Me in a friendly Visit to Him received  
 by Him with great Profession of Friendship to Me, renew'd our Correspondence. The *Two Letters* I  
 writ upon this occasion to Undeceive his Lordship (and which I flatter myself, had the good Fortune  
 to Undeceive him) not relating directly to the Steps taken ineffectually by me to prevail upon his Lord-  
 ship to permit a *Hearing*, I shall not (Mr. Vice-Chancellor) Trouble You with them, nor perhaps any  
 body else, unless it be denied that there was a Misrepresentation, but pass on to the *Sixth* and last  
 Letter.

such a Process. This looks as if the College were resolv'd to take effectual Care, that whoever hereafter, (now their Own Turn is serv'd,) should presume to entertain so beneficent a Thought, as to give to *Other* poor Students the same Help in Education which *They* enjoy, both He and his Family should repent it dearly. However, I am contented They should thus Proceed, if they would indeed Proceed. Possibly, One Friend or Other might arise, who, persuaded of my honest Meaning, might have so much Compassion towards me, as to *Lighten* the Expence of such a Suit. But when will the College think it Time to begin this Suit at *Common Law*? They have threatened to do it these *seven* years. They have never taken *One* Step towards it. No body supposes they ever intend it. I cannot compel them. It was the profess'd Design of the College when they Enter'd their *Caveat*, to be *Heard* where they had Enter'd it. If they are *Heard*, they may see Reason to Acquiesce in what shall be reply'd. But if not, the *Law* is still open. A Charter granted to *Me* gives no *Right* away from *Another*.

I HAVE the *Present Rector's* repeated Promises, That if we could not Compromise the Matter between Ourselves, I should be *Heard* before the Lord *Privy-Seal*, with your Lordship's Consent, whenever I pleased. We cannot compromise the Matter between Ourselves. And your Lordship has told me, "I shall find no Unkindness or Contradiction to Myself, or my Undertaking, from your Lordship, but what the Defence of the College doth require." Now, since all Objections to a *Hearing* are declar'd to be remov'd, the Defence of the College seems not any longer to require your Lordship's Interposition to hinder such *Hearing*, and, therefore, I hope your Lordship will no longer do it: especially, since I do not hear (a) that the College have Requested This of your Lordship.

THE *Rector* propos'd, by an Accommodation of This Affair between the College and Me, to save the Charge of a *Hearing* on Both Sides. I am altogether as Inclind to save This Charge as the College, being much less Able to bear it. And, since we cannot Agree the Thing between Ourselves, should be exceedingly glad if Others would be so kind as to do it for us.

THE College cannot Hope for any greater Success by a Trial at *Common Law*, than Those *Lawyers*, whose Opinions they value, shall encourage them to Expect. Whatever shall be thought a full Satisfaction to the College for what *Right* they have in this *Hall*, in the Judgment of any Two *Lawyers*, in the Kingdom, of whom the College shall appoint One and I Another, (Both to be rewarded by me if they Desire it,) I will pay it instantly, or cease any further Pursuit of Incorporating This Society.

WHEN Mr. P. lately talk'd with the *Solicitor-General* concerning the Pretensions of the College, he answer'd, "It was a great while ago that he had consider'd their Case, and that the thing was then a good deal out of his Head, but that, to the best of his Remembrance, it was his Opinion, if any two reasonable Men were to talk the Matter over together, they would soon adjust the Dispute between the College and Me, or to this Effect." I do not know two more reasonable Men in the World than the *Attorney* and *Solicitor-General*; and would gladly be at the Charge of That Conference, if it could be procur'd. But, forasmuch as I apprehend the *Solicitor* would not concern himself in This Dispute, but at the Request of the College, I should take it as a Favour, if the College might be prevail'd upon by your Lordship, to Request This of him. Or, if your Lordship would rather have the Opinion of Those, or

(a) Not since the Death of the late Rector, and Reimbursement of the Eighty Pounds before-mention'd.



any Two Other Lawyers, at my Expence; for your Own Satisfaction; and would continue, or discontinue the Obstruction your Lordship hath hitherto given me; as your Lordship should find Reason for either; from Their Representations, I should desire nothing farther from your Lordship.

WHAT remains to be Observ'd to your Lordship is, that by the Delay in my Affair, there is sufficient Reason to believe the Society have Lost several Thousand Pounds, and I also am become a very great Sufferer in my Private Fortune. And I beg your Lordship's Assistance, or at least Neutrality, that a further Delay may not ruin at once my Design and Me. I am, My Lord,

Your LORDSHIP'S

Hart-Hall,  
16 May, 1732.

most Obedient Servant,

R. N.

Mr. Vice-Chancellor;

I AM sorry to say, This Letter, instead of making Any Impression upon his Lordship, produc'd a More unkind Answer than Any I had before receiv'd from him. Despairing of the Success of any Future Applications either to the College or their Visitor, I had, next, a mind to Try whether some Relief might not be had from a Court of Equity. For, since the College continu'd to Obstruct the Incorporation of the Hall on Pretence of Right, which yet, (after the Attorney-General had made his Report) they were resolv'd should never be Tried if they could help it, nothing seem'd to Me more Reasonable, than that a Court of Equity should Compel them to set forth this Right, the bare Pretence of which had already prevented the Establishment of many Charitable Donations to the Society, and, whilst it subsisted, would continue to have the same Effect.

I WAS told, upon Enquiry, I might soon be Reliev'd in Chancery, if I could once bring the Matter thither: but, at the same time, that This would be impossible for Me to do.

It is a Circumstance (Mr. Vice-Chancellor) well enough suited to my present Condition, that, whilst I am, on all hands, assur'd, that I am in the Right, I am incapable of being dismay'd by any Terror, or wearied with any Toil. And therefore what I found was out of the Reach of the Law, I was determin'd to bring to the Tribunal of Fame.

HITHERTO, whenever I have told my Story in Private Conversation, I have hardly been Believ'd. My Friends would reply, there must be something more in this Matter than I was aware of; or, suspect that I had Omitted something in my Account of it, which, if related, would give it Another Appearance. For, As it appear'd by My Representation, the Thing was Incredible. For, either there never were such Men in the World as My Opponents, or, if there Were, they could not conceive how so Hard a Case should be utterly without Remedy. I now, therefore, tell my Story to the Publick, that These Men may refute it if it be not True; or, that if they do not refute it, it may be seen, there Are such Men in the World; and that, as Hard as the Case is, both with respect to Me, and to the Society, there is no possible Remedy but That which I am taking, if That be Any.

UPON the Publication, indeed, of a Letter entitled, *The Expence of University Education reduc'd*, in which my Adversaries are incidentally reproach'd for Obstructing the Establishment of Rules which would effectually have secur'd That Point, the Talk

of

of Trying their Pretended Right at *Common Law* hath been *Reviv'd*, and with the Loudness and Vehemence of Men *provok'd*. But, for all this, They have since suffer'd *Three* several *Affizes* to be held at their Door, without submitting This Matter to the *Cognizance* and *Decision* of the Court. As often as the *Essoign* Days have approach'd, and the Declaration of *Ejection* threaten'd to be deliver'd hath been expected, or rather, *Wish'd* for, so often have I found Myself amus'd and disappointed.

NOTHING then remains, but that I appeal to the World for *Their* Opinion of the Matter. I cannot but say, I have had great Reluctance to this Step, knowing how much the Discoveries I should make would affect the Reputation of my Opposers. This Reluctance appears, in that all *Other* Methods have been first tried in vain, and of *This* fair Warning hath been given, that it might not have become *Necessary*. It is now high time to take Care of my *Own* Reputation, and to shew the World, if I *should* finally be *Defeated* in my Design, yet, at least, that I did not *Deserve* to be so. And that, if once *This* should be made to *Appear*, it might some Way or other so happen, that I should not finally be *Defeated*. That the Design was *Right*, and the Opposition to it *Wrong*, is to be my *perpetual* Theme. And if, nevertheless, the *Opposition* is to *continue*, so shall my *Expostulation* with the Opponents. For, I will never Desert *Myself*, nor the *Defence* of what I have been doing for the Service of the Society and of the University, as long as I live.

I HAVE already Observ'd, that the Procedure of the College was Void of *Respect* to their *Visitor*; and I now take the Liberty to say, that, I think the Procedure of their *Visitor* hath not been over Full of *Respect* to Those *Great Men* whom his Lordship prevail'd upon to stop the Progress of the Charter they desir'd to speed, 'till the College he was concern'd for should be satisfied, without making it appear that they had any *Reasonable* Demand, or that a *Reasonable* Demand having been made, it had not been *comply'd* with.

THESE *Great Men* had a mind to Oblige me, and in a Thing that was *right in Itself*. I have good Authority for what I say. The late Lord *Carlton*, who was a great Favourer of Learning, and who, at the Request of One of the most learned Prelates of This, or Any other Age, was dispos'd to serve Me, did *Himself* tell me, that, when He apply'd to the Lord *Townshend*, then one of his Majesty's Principal Secretaries of State, in order to know his Lordship's Thoughts of the Incorporation of *Hart-Hall*, his Lordship answered, "That he had no Objection to it; that the *Duke* and his *Brother*, who were the Doctor's Pupils, had a mind to Oblige him in it; and that, "besides, the Thing was *right in Itself*."

THERE was Reason to believe They *might have* a mind to Oblige me in it. The Part I had had in their Education, they will do me the Justice to say, I discharg'd with uncommon Diligence, and with strict Fidelity. Both They, and the rest of their Family, have ever since done Me the Honour of their Esteem and Affection. I never deceiv'd them. Not being of any Party, I never pretended to be. And for the Tranquillity I propos'd to Myself in This *Rare* State, I have been willing to forego Those Advantages which others have Qualified Themselves to receive. What I desir'd of Them was an *Opportunity* only of promoting Learning and Virtue in the University in the most frugal and effectual manner.

WHERE then is the *Respect* shewn to These *Great Men* by the *Visitor* of *Exeter* College, whilst his Lordship intreats Them, for the Sake of *His* Friends desiring a *Wrong* thing, Not to do That for *Their* Friend desiring a *Right* thing, which it would have been very *Agreeable* to Them to have done for him?



IF *Two* of his *Lordship's* Scholars could find such *infinite* Satisfaction in procuring his *Lordship* a Preferment so proportion'd to his Merit as the *See of Exeter*, could it not so much as *once* enter into his *Lordship's* Thoughts that it was not *Impossible*, No, nor *Unlikely*, that *Two* of My Scholars (who are known as much to delight in doing good Offices for their Friends as any Two Men in the Kingdom) might not also find some *little* Pleasure in procuring Me the *Opportunity* I wanted to promote Learning and Virtue in the University in the most frugal and effectual Manner?

AND, if *They* were *Willing* to oblige his *Lordship* so far as to *retard* the Passing of my Charter at his Request, in *Hopes* that I should *soon* be able to give his *Lordship* Satisfaction, and in *Confidence* that he would not *Persevere* in *Opposing* it any longer than he should have good Reason to do so, can his *Lordship* think they *Approve* his continuing the Opposition for *Ten* Years together, without *Any* Reason at all, to the *Defeating* a Design that is *Right in Itself*, and to the *Ruin* of the Promoter of it whom they *had a mind* to Oblige? I flatter Myself They do not *Approve* of it, and that what hath been thus *Grievous* to Me, is not *Easy* to Them.

I AM Tempted, by the Honour it is to Me and to the *Hall*, to have it known, to take Notice, that *One* of These Great Men had been a Member of The *Society*, and there entrusted to My particular Care, hoping the Credit we do *Ourselves* in this Interested Observation will not be thought a Diminution to the Person for whom we have so great a Value. The Beneficent Thought he entertained of promoting the Prosperity of his *Own* Society, at the Request of a Beloved Tutor, was Natural, Became him, was Worthy of him. And for the Visitor of a College to desire him to forego his *Own* Inclinations to a Virtuous Deed, 'till the Pretensions of the Men he was concern'd for should be satisfied, without afterwards *Securing*, or *Caring*, as far as it appears, that they should *specify* These Pretensions, and submit to have them *Examin'd* and *Estimated*, seems to me a Thing Unnatural, Unbecoming, Unworthy. And so far as this Procedure either *was*, or might reasonably be *supposed* to be, Disagreeable to the Favourers of the Person and the *Design* Oppos'd, so far there seems to have been a manifest Want of *Respect* towards Them in the Opposer.

I HOPE I am entitled to his *Lordship's* Pardon, that I mention this Circumstance of *Disrespect* shewn to my honourable *Friends* in the Continuance of so ill-grounded an Opposition to Me. My *Reputation* is concern'd in the Remark. And his *Lordship* has told me, upon another Occasion, that, "I have a Right to defend my Reputation." If *They* had once that Friendship for me which I *pretend* they have profess'd, which there was the above-mention'd Reason for, and which, it had generally been said, and believ'd they had, I might seem to have *forfeited* it by some Misbehaviour towards them, if it could be suppos'd to be a Thing *Indifferent* to them, Whether the Design they were conducting with a *prosperous Gale* into the Desir'd Port, should, within Sight of it, be *Becalm'd* for *Ten* Years together; Or, the *Remora* that unaccountably, and unnecessarily detain'd it should be taken off from it. I value their good Opinion of me a great deal more than to be *Willing*, or, indeed, to *Suffer* that This should be suppos'd, if I can any Way prevent it.

GREAT Men, however attach'd to a particular Scheme, and to the Persons of Those whose Assistance they Promise themselves in it, do not yet care, if I guess right, to Offend, or Disoblige, or Grieve any Man living *Unnecessarily*. And however Thankful they may be for the Aid which they Occasionally Need, yet can they Discern and Lament That *Indiscretion* in their Friends which alienates more Affection of Others from them, than *Their Own* can balance.

I HAVE very lately been inform'd that his Lordship, having some time ago receiv'd a Letter, in an *Unknown* Hand, and without a Name, Advising his Lordship to *Retreat* from the Opposition given to the Principal, communicated the same to One of my Opponents, and express'd a good deal of *Uneasiness* that He had been led by *Him* into a Conduct that would injure his *Reputation*, or to this Purpose.

WHOEVER was the Author of This Letter, I believe He meant it kindly both with respect to his *Lordship*, and to *Me*. For *Myself*, I take it kindly of him. And if his *Lordship* had thought it worthy of That *Regard* which it was design'd he should have shewn to it, it would have sav'd *Me* the Trouble of This *Application* to my Visitor.

How it came to be *Disregarded* I cannot say with any *Certainty*. But I have heard, the Person, to whom it was Imparted, confirm'd his Lordship in the Belief that the Letter was written by *Me*, that the Stile of it was *particular*, and exactly agreeable to my *Manner*; and endeavour'd to make his Lordship Easy, as to the Apprehension his Lordship had of any *Hurt* to his Reputation by the Assistance He had given the College to Obstruct the *Principal's* Design; for that the College would certainly Try their Right at *Common Law*, the very next Assizes; and that, *afterwards*, they would give such an Answer to what had been *Written* about This Affair, as they suppos'd would not be very *Acceptable* to *Me*; and which they forbore to do *before*, having something to say which, publish'd earlier, might prejudice their Cause.

As to the *Trial*, The *Assizes* are over, and there is Nothing done. As to the Answer that is design'd to be *Unacceptable* to *Me*, I disclaim their *Favour*: knowing, for certain, Whatever they shall say with *Truth*, will give me a fresh Opportunity of shewing the *Unfairness* of the *Opposition*, and, particularly, of the *Steps* taken in it. As to the Letter, I confess, if I could have suffer'd *Myself* to have us'd *Any* Art, I should not have scrupled to have had Recourse to *This*, as likely to have produc'd much Good, if I could have persuaded *Myself* it would have had the *Influence* intended. But, in Truth, I neither writ This Letter *Myself*; nor was it written by my *Advice*, or *Procurement*, or with My *Privy*; nor do I even now know *Who* writ it; nor had I so much as *Heard* that *Any* Letter had been written to the Purpose above-mentioned before the 16th Instant.

I HAVE nothing more to add (Mr. Vice-Chancellor) than to beg Pardon for the Trouble I have here given you in this Representation, with a View of *Some* kind of Assistance or other from you. Whether you can at all relieve me in my Distress, I know not. But still my Application to you as the Visitor of My Society, is *Regular*, and *Proper* in My present Situation, in order to see whether you can or no. If you cannot, I will not suppose *Any* One to have greater *INCLINATION* to Assist Those who are Interesting Themselves in the Service of the *University*; I must apply to Others who have greater *POWER*. I am,

SIR,  
Hart - Hall, Your most Obedient Servant, &c.  
31 July, 1734.





# POSTSCRIPT

## TO THE

### LETTER *written to the* VICE-CHANCELLOR *of* Oxford, *by the* PRINCIPAL *of* Hart-Hall.

**I** HAVE read the Answer of the Dean of *Christ-Church* to the foregoing Letter. What was promised is not performed. I do not apprehend that I have been guilty of any *Calumny*, or written any *Libel*. Some Things are denied by Mr. Dean, which I still affirm; others affirmed by Him, which I deny. I do not see there is any Thing *Refuted* more than that, whereas, in p. 9. I have said the new Petition was for another Hearing before the Lord *Privy-Seal*, I should have said, before the *King in Council*. The Conduct of the Society of *Exeter College* is not Vindicated, neither That of their *Visitor*, nor yet That of the *Dean*. The main View in this Answer is, I find, to discredit Me in Matters not at all relating to the Dispute between us, that the Reader may from thence infer how little Credit is to be given to what I say of Matters that *Do* relate thereto. In *this* View I think he will not succeed. Neither is it generally believed, that he had ever any reasonable Hopes of succeeding. But having, either through *Impatience* of Censure, or *Dream* of a rich Stock of Materials for an Answer, put out a rash *Advertisement* of it, not to be recalled when he should *Awake* and find himself *Poor*, he brought himself, as it were, under a Necessity of saying *Something*, though never so little to the Purpose; and in a manner that is *Angry*, as if He, therefore, had *Reason*. Accordingly it is a *Scolding* Piece; but it is so of One, who, all the time he is scolding, is walking off, whilst his Adversary keeps his Ground. I will publish an Answer to whatever is said in this Piece, either *Derogatorily* of *Me*, or *Deficiently* of the *Matter* in Dispute, as speedily as my many other Engagements will permit, which, I flatter Myself, will be so satisfactory to every body, that, since he is determined not to vouchsafe any Answer to what I shall write for the future, there may be no manner of Occasion for it. And that it may be seen also, whether his Friends in *Oxford*, who would have dissuaded him from Printing any thing at all, notwithstanding the Advertisement; or his Friends else where, who have since prevailed upon him to Print what is now Published, had the better Judgment. In the mean time, I here give the Reader his Representation of *One* particular Fact, as a Fore-taste, whereby he may conjecture with what Simplicity his Account of *Other* Facts is delivered.

#### The REPRESENTATION is this:

SINCE I drew up what is said above, I have learnt more perfectly the true State of this Case. It appears that I was really recommended to The late Lord *Macclesfield* for one of his Lordship's Pensions, tho' I never received one Farthing Advantage from it. And The Person, to whom I was indebted for that Recommendation, was, The present Lord Bishop of *Oxford*. I speak this with Assurance. To which I will add, that most of the Persons recommended, were indebted to the same Great Prelate; and that Dr. *Newton's* Part in the Affair, was, chiefly to Enquire into the Characters of the Persons, on whom The Bishop had an Eye. It doth not appear that Dr. *Newton* had, at That Time, any Acquaintance with The Late Lord *Macclesfield*, whatever he might have afterwards. And therefore, his arrogating to himself a Merit, to which he had no manner of Title; and especially his doing this, in order to abuse a Person no wise deserving it; is insufferable. *Cal. Ref. p. 112.*

*The FACT is this:*

THE late Lord Chancellor *Macclesfield* imparted to the present Bishop of *Oxford* his Design to favour a certain Number of Scholars with Stipends of 30 Guineas a Year to each, for the Encouragement of Industry, and Advancement of Learning in the University; and requested of the Bishop, as a Man excellently Learned in Himself, and wishing well to the State of Learning, to recommend to him Persons, whose Circumstances he knew, or could be advised, were such, as would make the Intended Pensions acceptable to them; and who would be willing, now and then, to publish Something in their Own way of Study, as a Testimony that they were in good earnest engaged in a Pursuit of the End proposed by his Lordship: with this further Instruction, that Regard should not be had in these Recommendations to what Party the Men were said to be of; (which would but continue, if not increase Parties in the University, to the Ruin not only of Learning, but of every thing Sacred, or Serious, or Social,) but to their Merit, as Scholars.

THE Bishop of *Oxford* had, at this Time, in his Hands One of the Printed Copies of the Scheme of Discipline intended by me to be established by a Charter in *Hart-Hall*. He might from thence have observed, that my Design in general was the same with That of Lord *Macclesfield*, to encourage Industry, and to advance Learning in the University. He knew that I had already been searching the University for Men of Parts and Learning, to assist me in the Education of Youth upon the Foot of that Institution; and had invited several Persons from the respective Colleges in which they had distinguished Themselves, to come and reside with me for this Purpose, under such Considerations, as they were very good to accept, tho' exceedingly below their Merit; and in Expectation of becoming a Part of the Corporation, when a Charter should be obtained. He did me the Honour to impart to me the Instructions he had received, and to intrust me with the Recommendation of Scholars to Him fit to be recommended by Him to the Favour of Lord *Macclesfield*; for he said I lived always in the University, and that the Men of the Standing, Condition, and Endowments, that were wanted, must be better known to Me, than to Himself; or to this Effect. He did not at this Time mention Mr. C. to me; nor do I remember, or believe he had ever mentioned his Name in my hearing at any time before This. I came home in the Evening; and, in a Day or two, Mr. *Greenaway*, a Tutor in my Society, and a Friend of Mr. C. went to him from me, to learn whether what was proposed by Lord *Macclesfield*, would be acceptable to him: If it would, I desired he would let me see him at the Hall. He came to me immediately, and was exceedingly pleased with what I had to say to him. I recommended Mr. C. as I did several others, to the Favour of the late Lord Chancellor *Macclesfield*. Or, if you will, to the Bishop of *Oxford*, as worthy of the Lord Chancellor's Favour. This is the Fact. I never pretended it was otherwise than I have here related it. Every Other Person I recommended so understood it, as I verily believe; and I think I may be sure it must have been so understood by Mr. C. Himself. For, after I had introduced the Gentlemen of my Own Society to Lord *Macclesfield*, to receive the first Payment of the Annual Pension from his own Hands, I writ to Mr. C. then in *Devonshire*, to let him know what had happened to Others, and what Himself might expect; advising him to wait upon the Lord Chancellor at *Sbirbourn* Castle as soon as he could possibly; and, in his Way thither, upon the Bishop of *Oxford*, that he might acknowledge the Bishop's Recommendation of him; and, in his (a) Answer to that Letter, after having thanked me for the Care I had taken that he should not be a Sufferer by his Absence, he adds these Words, "As soon as I return, I will wait on the Lord Bishop of Oxford, as you direct."

(a) Exeter, Octob. 4, 1723.



As I never dissimbled this Matter, so neither was there any Occasion for it; for Mr. C's Obligations to me, such as they were, (less indeed than were fit to have been mentioned, if I could have avoided it,) were the same, whether I had recommended him directly to Lord *Macclesfield*, or mediately by the Bishop of *Oxford*. *A.* might recommend *C.* to his Majesty's Favour for the Deanry of *Christ-Church* immediately and directly, for ought I know; but if he did this by *B.*, still *A.* was a Friend who had oblig'd *C.*

AND then, as to the Consequence, if his Majesty should hereafter be graciously pleas'd to shew *C.* any other Mark of his Royal Favour at the Suit of any other Person whatsoever, who can be sure that the Original Impressions made on the Mind of his Majesty, in favour of *C.*, did not facilitate the Success of such Application?

HE knows, he says, to whom he was oblig'd for the Preferment in the Chancellor's Gift. And so do I too, if I did not mistake the late Lord *Macclesfield*. It was a Person to whom I had the Honour to be known upon a particular Occasion, and for whom I had a great Esteem; Dr. *Talbot*, the late Lord Bishop of *Durham*. And I never pretended to any other Merit towards Mr. *C.* in this respect, than to have given Lord *Macclesfield* a good Opinion of him, antecedently to the Bishop's Application: A Thing which might possibly be of some little Use to him, for ought he knows: For Lord *Macclesfield*, tho' he might be sometimes Mistaken, like other Patrons, was yet very Elegant in the Choice of Persons on whom to bestow his Spiritual Preferments.

AND, if he never received any Pension from his Lordship, it must be, I suppose, because he never waited upon his Lordship before he went to thank him for the Grant of the Rectory of *St. Clement's*, a Living at his Door that was Tenable with his Fellowship, and abundantly more than an Equivalent to the First and Second Payment of the Pension. His Lordship's Misfortunes coming soon upon him, no body receiv'd a Third; whilst what he had given to Mr. *C.* continued to be beneficial to him for many Years.

AFTER what has been said, an Enquiry at what Time precisely I became known to Lord *Macclesfield*, is, I think, not very Material. His Lordship very early in the Year 1722, had taken particular Notice of Mr. *Hunt*, One of the Tutors in my Society, who, in relating to his Lordship the Occasion of his removing hither from *Christ-Church*, spoke respectfully of me, and friendly of the Scheme of Discipline, I was endeavouring to get Established by a Charter in *Hart-Hall*. Soon after this, I had the Honour to be Admitted to his Lordship, who always received me with great Kindness, and expressed great Favour to my Design. And tho' I did not recommend Mr. *C.* to Lord *Macclesfield* Himself, yet Lord *Macclesfield* knew that I recommended him by the Bishop of *Oxford*, and thereupon did Himself tell me, he should always have a Regard to my Recommendation; and he afterwards had a Regard to it upon a much more important Occasion. And when, after this, he was informed what Steps Mr. *C.* had taken to Oppose the Incorporation of the Hall, against the Authority of the Report, which his Lordship perused and approved, he had a much less Opinion of him.

BUT after all, Had the Case really been as Mr. *Dean* describes, yet would not the Notable Activity exerted in 1724, at what Time he was under a Belief, I may say a Certainty, that I had oblig'd him, have been ever the more excusable, for his having Learnt in 1734, that, in truth, to his great Joy, he had no manner of Obligation to me.

*Hart-Hall,*  
28 Jan. 1734.

*R. Newton.*

As I never dissimulated the Matter, to me it was not any Occasion for  
Mr. C's Obligations to me, such as they were, (I do not think them to have been  
mentioned, if I could have avoided it) were the same, whether I had recommended  
him directly to Lord Mansfield, or indirectly by the Bishop of Orléans. A man  
recommended C to his Majesty's favour for the Deputy of C. of C. and I am not  
the City, for I have known him to be the City, and I was a friend who had  
copy'd C.

And then, as to the Continuance of his Majesty's favour, I am not  
pleased to show C any other mark of his Majesty's favour, than that of my other  
son whatever, who can be sure that the Original Impression made on the Mind of  
his Majesty, in favour of C, did not diminish the Success of such Application.

He knows he says, to whom he was oblig'd for the Continuance of his Majesty's  
Gift. And I do not too, if I did not mistake the late Lord Mansfield, I was a  
Person to whom I had the Honour to be known upon a particular Occasion, and for  
whom I had a great esteem. Dr. Tindal, the Lord Bishop of Orléans, &c. I have  
presented to my other Majesty towards Mr. C. in this respect, that he has been  
known to be a good Christian, and to the Bishop's Application, I think  
which might possibly be of some little Use to him, for ought he knows. But I am  
satisfied, that he might be sometimes mistaken, like other Persons, who are very  
Eminent in the Church of England, on what to believe his Spiritual Instructions.



And if he ever received any Pension, or any other mark of his Majesty's  
favour, he would not have been so ready to say, that he was not oblig'd to the  
Majesty of Great Britain, for the Honour of his Majesty's service, and the  
and therefore, I am not too, if I did not mistake the late Lord Mansfield, I was a  
Person to whom I had the Honour to be known upon a particular Occasion, and for  
whom I had a great esteem. Dr. Tindal, the Lord Bishop of Orléans, &c. I have  
presented to my other Majesty towards Mr. C. in this respect, that he has been  
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which might possibly be of some little Use to him, for ought he knows. But I am  
satisfied, that he might be sometimes mistaken, like other Persons, who are very  
Eminent in the Church of England, on what to believe his Spiritual Instructions.

After what has been said, in this paper, I am not too, if I did not mistake the late Lord Mansfield, I was a  
Person to whom I had the Honour to be known upon a particular Occasion, and for  
whom I had a great esteem. Dr. Tindal, the Lord Bishop of Orléans, &c. I have  
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satisfied, that he might be sometimes mistaken, like other Persons, who are very  
Eminent in the Church of England, on what to believe his Spiritual Instructions.

For after all, I do not think that the late Lord Mansfield, I was a  
Person to whom I had the Honour to be known upon a particular Occasion, and for  
whom I had a great esteem. Dr. Tindal, the Lord Bishop of Orléans, &c. I have  
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Eminent in the Church of England, on what to believe his Spiritual Instructions.